

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MILAN EDWARD JURKOVIC,

Defendant.

No. CR23-001-RSL

ORDER DENYING MOTION  
TO DELAY SURRENDER  
DATE

This matter comes before the Court on Defendant's "Motion to Continue Surrender Date" (Dkt. # 120). Having considered the motion, the Government's opposition, the Defendant's reply, and the record, the Court DENIES the motion.

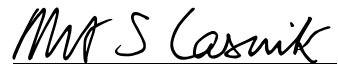
Defendant requests to delay his self-surrender date from July 31, 2024 to September 30, 2024. He argues that defense counsel needs additional time to (i) receive transcripts related to the above-captioned case, (ii) evaluate issues for appeal, and (iii) evaluate the merits of a motion for release pending appeal pursuant to 18 U.S.C. § 3143(b). Dkt. # 120. The Government opposes the motion, arguing the motion is a "transparent ploy for delay." Dkt. # 122.

The Court does not find any strategic delay by appellate counsel and agrees that Defendant does not pose a risk of flight or danger to the community. However, the Court is not amenable to a delay after conviction and sentencing just so counsel can see if there is reversible error in the trial transcript. An appellate court may decide whether an error occurred and may

1 also decide whether release pending appeal is appropriate. The Court is not persuaded that  
2 delaying self-surrender is appropriate here.

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4 For all of the foregoing reasons, Defendant's "Motion to Continue Surrender Date" (Dkt.  
5 # 120) is DENIED.

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7 DATED this 29<sup>th</sup> day of July, 2024.

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11 Robert S. Lasnik  
12 United States District Judge  
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